

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
MICHAEL F. ANTONELLI and	)	CASE NO. 17-64177-PMB
NOREEN A. ANTONELLI,	)	
Debtors.	)	
-----	)	
NEIL C. GORDON, Chapter 7 Trustee for	)	
the Estates of Michael F. Antonelli and	)	
Noreen A. Antonelli,	)	
Plaintiff,	)	
v.	)	CONTESTED MATTER
PNC BANK, N.A. f/k/a	)	
RBC CENTURA BANK,	)	
WELLS FARGO BANK, N.A.,	)	
CHATHAM PARK COMMUNITY	)	
ASSOCIATION, INC.,	)	
FULTON COUNTY TAX COMMISSIONER,	)	
MICHAEL F. ANTONELLI and	)	
NOREEN A. ANTONELLI,	)	
Respondents.	)	

**TRUSTEE'S NOTICE OF INTENT TO REPLY**

COMES NOW Neil C. Gordon, as Chapter 7 Trustee for the bankruptcy estates of Michael F. Antonelli and Noreen A. Antonelli ("Trustee"), by and through undersigned counsel, and files this *Notice of Intent to Reply* ("Notice of Intent"), and respectfully shows the Court as follows:

1. On July 3, 2018, Trustee filed *Trustee's Motion for (I) Authority to (A) Sell Property of the Bankruptcy Estate Free and Clear of Liens, Interests, and Encumbrances and (B) Disburse Certain Proceeds at Closing, and (II) Approval of Surcharge Under 11 U.S.C. Section 506(c)* [Doc. No. 45] (the "**Sale Motion**").<sup>1</sup>

2. The Sale Motion came on for hearing before the Bankruptcy Court on July 30, 2018 (the "**Hearing**").

3. At the Hearing, Trustee argued for the first time that, if the interest of PNC in the Property has priority over the interest of Wells Fargo, he could sell the Property free and clear of the interest of Wells Fargo under 11 U.S.C. § 363(f)(5).

4. The Court asked Trustee to supplement the Sale Motion with legal authority for this argument.

5. On July 31, 2018, Trustee filed his *Supplement* [Doc. No. 51] to the Sale Motion.

6. On July 31, 2018, Wells Fargo filed its *Supplemental Response* [Doc. No. 52] to the Sale Motion (the "**Supplemental Response**").

7. Trustee hereby files this Notice of Intent so that the Court is aware that Trustee intends to file a reply to Wells Fargo's Supplemental Response by the end of the day today, August 1, 2018.

---

<sup>1</sup> Capitalized terms not defined in this Supplement shall have the meanings ascribed to them in the Sale Motion.

Respectfully submitted this 1st day of August, 2018.

ARNALL GOLDEN GREGORY, LLP  
*Attorneys for Trustee*

By: /s/ Michel J. Bargar

Michael J. Bargar  
Georgia Bar No. 645709  
171 17th Street, NW, Suite 2100  
Atlanta, Georgia 30363-1031  
Tele: (404) 873-8500 / Fax: (404) 873-8501

**CERTIFICATE SERVICE**

This is to certify that I, Michael J. Bargar, am over the age of 18 and that on this day I have caused to be served a copy of the forgoing *Notice of Intent to Reply* by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage affixed thereon to assure delivery by first class United States Mail to the following persons at the addresses stated:

Office of the United States Trustee  
362 Richard B. Russell Bldg.  
75 Ted Turner Drive, SW  
Atlanta, Georgia 30303

Bret J. Chaness  
Rublin Lublin, LLC  
3145 Avalon Ridge Place, Suite 100  
Peachtree Corners, GA 30071

This 1st day of August, 2018.

/s/ Michael J. Bargar  
Michael J. Bargar  
Georgia Bar No. 645709